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**TE RAUPATU O TE WHAKATOHEA:
THE CONFISCATION OF WHAKATOHEA LAND
1865-1866**

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Commissioned by Treaty of Waitangi Policy Unit,
Department of Justice.

1994

thing by which we shall keep our land." (Kua kitea tetahi taonga hou a mau ai to matou whenua.)⁷⁸

Martin believed that 'No spot in the Island was better prepared to receive this fanaticism than Opotiki.' He cited the involvement in the Waikato war, the suspicion against Volkner of spying and the murder of Aporotanga as contributing factors. However there was still no immediate retaliation against Volkner or Te Arawa. He told of two Arawa men returning from the East Coast after Aporotanga's death and being fed and conducted in safety off Whakatohea land after 'the cry for blood which arose from the widows was rebuked by a woman'.⁷⁹

Thus, by early 1865, Whakatohea involvement in the Maori 'rebellion' had been limited to a small and abortive foray in February 1864, and participation with several other iwi in Tai Rawhiti. No aggression had been committed against either Government representatives or European civilians.

(G) THE DEATH OF REV. C.S. VOLKNER

The killing at Opotiki on 2 March 1865 of the CMS missionary, the Rev. Carl Sylvius Volkner, is the point in time around which the confiscation of Whakatohea land was focused. The wrath of an outraged Government and Pakeha society was visited upon the whole tribe upon whose lands the incident had taken place. As discussed below, soldiers were sent to the area to impose martial law, Whakatohea suffered greatly from their depredations, the tribal lands were included in the Government's confiscations of land belonging to 'rebel' Maori and a number of individuals, including a Whakatohea chief, were executed after being tried in the Supreme Court for murder.

To determine the extent of Whakatohea involvement in and possible culpability for the killing of Volkner, the incident itself requires some investigation.

Former Chief Justice Sir William Martin commented that trouble had been brewing at Opotiki. Volkner had been worried by 'the miserable condition of his people [as] Their cultivations had been neglected, and a low fever, caused by lack of food, had carried off more than 150 persons'.⁸⁰ Volkner had not felt sufficiently threatened by the fighting going on near his station to consider abandoning it. He had travelled back to Auckland to confer with colleagues several times during 1864, and he left on another such visit in January 1865. It had always been normal practice for CMS members to

⁷⁸ Sir W. Martin to Native Minister, 23 December 1865. AJHR, 1866, A1, 68 (= RDB, 7339).

⁷⁹ AJHR, 1866, A1, 69.

⁸⁰ AJHR, 1866, A1, 69. Presumably the neglect of their cultivations was due to upheaval in the wake of Tai Rawhiti and general if unfocussed expectation of impending conflict of some sort.

hold meetings and conferences amongst themselves, although he also apparently used the opportunity to hold private discussions with the Governor.

Despite receiving warnings against coming back from several members of Whakatohea, Volkner insisted on returning in late February, accompanied on the schooner *Eclipse* by another CMS missionary, the Rev. Thomas Samuel Grace. He thought that the present physical state of Whakatohea was sufficiently low that he could leave not them alone, and so was taking back wine and quinine to minister to their illness, although doubtful whether they would receive it from his hands.⁸¹ Although such a statement indicated some degree of alienation and concern, while travelling to Opotiki Volkner repeatedly expressed confidence in the Maori at Opotiki and was sorry that his wife was not with them, intending to bring her on the vessel's next visit.⁸² This clearly indicated he felt in no substantial danger.

At the end of 1864, a Hauhau party under Kereopa Te Rau and Patara Rakautauri made its way across the southern Bay of Plenty region, causing alarm amongst many, including Maori. Their instructions from Te Ua were to inculcate the Pai Marire faith as they went, 'but not to interfere with the pakehas'. With the murder of Pio by Ngarauru near Waitotara as the party was setting out, Te Ua told them again that he wanted no more murders like this committed, while the soldier's head was to be handed over to Hirini Te Kani for return to European authorities. At Te Awa o Te Atua and Whakatane Kereopa wished to kill Frenchmen, but Patara saved them.⁸³

Civil Commissioner Smith sent in reports that they had gone to Taupo in early February, where the missionary Thomas Grace's house had been plundered and his goods auctioned, except for a fowling piece which had been carried on to Whakatane as a trophy. When they came to Whakatane, the Hauhau 'tiu', presumably meaning 'war party', or perhaps 'embassy',⁸⁴ wished to kill the Catholic priest there, and probably would have done so had he been English instead of French. The party had continued

⁸¹ AJHR, 1866, A1, 69.

⁸² Thomas Samuel Grace, *A Pioneer Missionary among the Maoris 1850-1879* (eds S.J. Brittan, G.F. C.W. and A.V. Grace; Palmerston North: G.H. Bennett, n.d.), 135. Grace's account reproduced here appears to be a condensation of that published in AJHR, 1865, A5, 24-31. Both are based on his daily journal. There was also a pamphlet produced comprised of the same material.

⁸³ Eruera Tutawhia, Deposition, 9 May 1865. IA 1/1865/1339. Eruera was an Ati Awa 'Maori doctor' with the party who gave this statement before Resident Magistrate G.S. Cooper and Interpreter Samuel Locke in Napier after having been convinced by Wi Tako in Turanga to come in. His account gives himself a consistently prominent role, and one which was strongly pro-European, and a consistently positive version of Patara's words and deeds. But he, like most of the other recorders of the events, was not a disinterested observer. It may well be that he was trying to convince his interrogators of his personal guiltlessness with regard to Volkner and shifting the blame squarely on to Kereopa and Whakatohea, off his friend Patara. In any case, his version differs from the others at a variety of significant points of specific fact.

⁸⁴ This Pai Marire party was called the Tiu Te Horopapera by the Turanga runanga.

on to Opotiki and likewise auctioned off the property of Volkner.⁸⁵ Note that this report was made before the killing of Volkner (although Smith received it only on 4 March and Clarke sent it in four days after Volkner's death and only a few hours before he learned of that event). It was already apparent that measures were being taken against the individual missionaries, although Spencer at Lake Tarawera was never threatened.

Warnings were sent to the authorities on 21 February by a Miss Wallace, living at Whakatane, that a 'kati' had been placed on the Whakatane harbour by the recently-arrived Hauhau party to prevent ships entering on pain of death. She reported that

At Opotiki they will do the same, and were heard to say that they would give the Rev. Mr Volkner orders to leave, and if he refused he would be killed; if the Whakatohea refused to do it, they would.⁸⁶

She had promised her European informant to try to warn Volkner as soon as possible to remain in Auckland, in case he came on the next trip of the *Eclipse*. The intentions of the war party were to try to raise the eastern Bay of Plenty and the East Coast and return in overwhelming force against Maketu and Tauranga. The phrasing of this letter suggests that the Hauhau expected that Volkner would already be in Opotiki, and that they already had homicidal intentions regarding him.

At the same time, Smith had received word from the chiefs at Te Whaiti of the progress of the Hauhau party, who had threatened them and all of Arawa with destruction when they refused to join with the Hauhaus.⁸⁷ Also, a more detailed report had come from Te Kepa Te Urui at Te Wairoa that the Hauhaus numbered thirty. They had used the head of Captain Lloyd to incite 200 Urewera to join their religion and abuse the prisoners they had with them. They stated they were on a mission to 'canvass the tribes', to go to Whakatohea and Ngati Porou to 'ascertain their feelings about their losses'.⁸⁸

The warnings came too late, presumably because of difficulties in communication between the writers' locations and Maketu. Smith did not receive them until 4 March and forwarded them on 6 March.

The arrival of the Pai Marire party at Opotiki was described later by Joseph Jahus.⁸⁹ They came on Saturday 25 February, about 200 strong and including Wepiha

⁸⁵ Wi Maruki to T.H. Smith, February 1865. AJHR, 1865, E4, 24 (= RDB, 7187).

⁸⁶ Miss Wallace to T.H., Smith, 21 February, 1865. AJHR, 1865, E5, 3 (= RDB, 7208).

⁸⁷ Ngakorowai, Te Wiremu and others to T.H. Smith, February 1865. AJHR, 1865, E5, 3-4 (= RDB, 7208-7209).

⁸⁸ Te Kepa Te Urui to T.H. Smith, 20 February 1865. AJHR, 1865, E5, 4 (= RDB, 7209). Presumably those in the Bay of Plenty or East Coast generally, or perhaps to Maori at large, since nothing had yet happened to those tribes specifically. Whose losses is not clear.

⁸⁹ Joseph Jeans, Statement, [June 1865]. AJHR, 1865, E5, 16-18 (= RDB, 7221-7223). [Hereafter Jahus, Statement.] Jahus, a Portuguese, was also known as Jeans or Jennings. He had been resident at Opotiki

Te Poono [Apanui] of Whakatane and Te Hure of Te Awa o Te Atua, preceded by a letter from Patara telling Whakatohea to get rid of any ministers that were there.⁹⁰ In the group, Jahus saw Mekomoko of Ohiwa, Hekara of Whakatane, Te Haraki and his son Wi of Kopeopeo, Kepa Taurarangi and 'his party', but some of these, probably just Kepa's group, left before the schooner *Eclipse* arrived. He numbered the Pai Marire contingent under Patara and Kereopa as being only 40 (compared with the Wairoa estimate of thirty) and unarmed, on 'Horopapera's' orders, by which accounting the other 150 or so must have come from Whakatane under Wepiha, with some from the western groups of Whakatohea. Levy also counted forty and said they were received with 'the greatest rejoicings and welcome' by some 800 Maori, 257 women forming a double reception line.⁹¹

Kereopa told Whakatohea that they had come 'to make the place sacred' and to teach them the new religion, and that they should forsake the 'Karakia te whatewha', since the missionaries had only come to get land. 'The Opotiki Natives listened to the speech of Kereopa without replying.' Patara then spoke in the same vein at which some Opotiki chiefs replied, 'It is correct what you say - welcome to Opotiki.' Those whom Jahus observed as in agreement were Pokeno (Te Aporotanga's son), Hakaraia Tuau, Timoti Te Haka, Te Mokena and Timoti Tarahau of Turanga. Hira Te Popo 'spoke doubtfully'.⁹² Kereopa wanted Whakatohea to expel all the Europeans in the locality (at that time Dr Agassiz, Jahus, W. Hooper and Samuel Levy), but they refused as some were married to Maori women and even if the Europeans did no good their presence did no harm. He then set up the head, post and other Pai Marire symbols and had them perform Pai Marire ceremonies every evening thereafter.

Levy told of a great welcome feast, a military parade and manoeuvres, and of Patara having a lengthy conversation with him, he being a Jew. Patara, he said, told him he intended to 'take the heads of all ministers, soldiers and Englishmen to carry as trophies to their great prophet Zerubbabel at Taranaki', and that if Volkner had been present he would take his head too, but would settle for his goods and house.

for six years, being married to a Ngatiawa woman. This statement was taken partly in Maori as Jahus's English was so poor. It can therefore be regarded as merely an approximation.

⁹⁰ Samuel A. Levy's version of 24 February - 1 March, published in the *Daily Southern Cross* is in MS GRA with copied extracts from Grace's journals. Levy said the Bay of Plenty Maori understood Patara intended to take a quota from each village to fight in Taranaki, as well as to proselytise for his religion. Captain Levy's account of 26 February - 17 March is in the same source.

⁹¹ But since there were only 500 Whakatohea in total this seems a wild exaggeration. Also how did he manage to count 257 exactly? This seems to be just the Levys' first embellishment or twisting of the events to make the story more dramatic and their own roles more heroic. Any aspect of their accounts must be taken with a reasonable pinch of salt.

⁹² White claims, perhaps on the basis of this statement, that Hira and all of Ngati Ira were opposed to the execution and took no part in it. White, 'Hira Te Popo', 521.

Patara and Kereopa then went through lengthy and elaborate ceremonies and explanations of Pai Marire, using the soldier's head, and conducted an initiation ceremony of 'the whole of the natives'. This included running around, being shaken, speaking in 'their mad peculiar tongue' (presumably Pai Marire incantations, not te reo Maori) and being swung around until insensible. Levy stated that everybody in the village was converted by the 26th.

The Taranaki group plundered Volkner's house and horses and auctioned them off on the 26th. Hira Te Popo also took part and 'The Opotiki Natives bought them.' Levy and Agassiz had heavily-discounted prices put upon their goods. Patara then went with a small group recruiting further up the coast to Whitianga (or Titiunga).⁹³ The ceremonies continued, resulting in 'the greater part lying all night on the plains in the open air in a state of stupidity and nudity - the principal portion of these were women'. [Levy]

Apparently some rumour circulated Opotiki that a vessel was about to arrive full of riches, followed by another full of gunpowder.⁹⁴ When the schooner *Eclipse* arrived at 10:30 am on 1 March, Mokomoko sent a messenger, Hohaia, to fetch Kereopa from a pa five miles inland. [Jahus] Jahus went down to Levy's store as soon as the ship anchored there and heard the Taranaki Wiwini board and ask Captain Morris Levy for his prayerbook, which he then made a great show of pretending to read. He did not speak to the missionaries. 'After this Mr Volkner's Natives came on shore to cry over him. They knew what would happen.'⁹⁵

Once the ship crossed the bar it was apparently impossible to turn back. It was only after they had done so that its occupants observed a hostile 'very large body' awaiting them. Captain Levy's brother called out a warning to them from shore, but they could only continue on to the landing place. Several Maori also told them not to go ashore. Presumably these were locals, but Grace's account does not say specifically whether these were ashore or travelling with them. A tall Taranaki Maori took charge, the Wiwini referred to by Jahus, although Grace names him as Rapata, detailing to the crowd the composition of the ship's cargo.⁹⁶

⁹³ Jahus, Statement, 17. The auction was Patara's idea when Kereopa wanted to seize Volkner's goods. When Patara left he instructed, 'Don't interfere with the pakehas of this place when I am gone'. Eruera was also clear that, in contradiction to other statements, the head was not that of Captain Lloyd, but of a sergeant of the 70th Regiment, killed in an ambush north of Waitara.

⁹⁴ Grace, *Missionary*, 135.

⁹⁵ Jahus, Statement, 17.

⁹⁶ Grace, *Missionary*, 135. Captain Levy said that the Levys with Tiwai planned an escape that night if the missionaries were left aboard. The listing of the cargo may have been an unsuccessful attempt to separate out the missionaries' possessions. [Levy] Eruera's version is that he himself and Tipene Kura went aboard and took inventory of the cargo before seizing it - but why this should be done is not made clear.

Kereopa arrived and said, 'Heoi ano te korero ki te kore koutou whakarongo ki taki kupu ka patua koutou e taku Atua. Heri ano taku kupu me haere ki te tiki i tetahi o nga Pakeha i runga i te kaipuke ki a kainga e au.' [‘Enough has been said. If you will not listen to my word you will be killed by my god. My words are finished, go and bring one of the strangers from on board for me to eat.’ Trans. T.S. Grace. ‘I tell you that if you will not heed my advice my God will destroy you. I say to you, go and get one of the Pakeha from the ship and I will eat him.’ Trans. Tairongo Amoamo.] In response, 'The Whakatohea (Opotiki natives) were silent, and some of the old men began to plait flax ropes.'⁹⁷ When the ship's occupants were ordered ashore, Volkner offered to shake hands with the people, but no-one would.

They were brought ashore at about 3 p.m., Tiwai cautioning them that they had come 'into the lion's mouth'. At this time they learned of the plundering of Volkner's house and of the auctioning off of his goods. As they stepped on land an old man with a rope rushed at Volkner, but was pushed aside.⁹⁸

While the group was kept waiting by the Catholic chapel, the ship was rifled. Wiwini/Rapata was again responsible for having the missionaries and sailors placed in Te Paki's house. They were not directly guarded, though many were around to watch and the sailors were able to get some of their possessions from the store. Later, they were able to retrieve some of the missionaries' also. During the evening, the Europeans in the house, sailors and missionaries, ate a rough meal, read the evening service and the missionaries 'did all we could to comfort one another'.⁹⁹ They were unable to sleep and went outside several times during the night. 'We were not locked up, nor were there any guards about the house. Had preparations been made, escape would have been easy.'¹⁰⁰ Grace did not explain why no attempt was made at this time. Perhaps they still did not understand the gravity of their situation.

That evening, a runanga of chiefs was held. Jahus's informant, Ranapia, saw there Kereopa, Wiwini/Rapata, and Hakaraia, Timoti, Te Waehaku, a half-caste named Keha, Te Ahi Tapu, Pokeno and Mokena, all of Opotiki. At that time it was decided to hang Volkner but to keep Grace until Patara's return, as he was not of Opotiki. Jahus stated that he and Ranapia planned to try to get Volkner away and Ranapia asked Kereopa to hand over Volkner to them, but Kereopa replied, 'Tenei te tangata tapu maku, ka kainga

⁹⁷ Jahus, Statement, 17. However, Eruera said that Whakatohea called out to those on the boat that if the missionaries landed Whakatohea would kill them.

⁹⁸ Grace, *Missionary*, 136. This old man was unnamed. Again, Eruera says that it was he who took the missionaries ashore in order to get them food - at dusk (which contradicts all the other accounts). Whakatohea had fetched Kerropa who had decided to kill them. Whakatohea told Eruera food was forbidden because of their own people who had been arrested, which he said was not the real reason. But they intended to kill Volkner in the morning.

⁹⁹ Grace, *Missionary*, 136. A hand-drawn map of the relevant sites is in J22/3a.

¹⁰⁰ Grace, *Missionary*, 136-137.

e au ona karu! Apopo te 20 nga haora ka kite koe i taku tikanga.' ['This is the sacred man for me. I will eat his eyes tomorrow at 2 o'clock you will see my doings.' Trans. T.S. Grace. 'This man has been reserved for me, I will eat his eyes. Tomorrow at eight you will see what I mean/intend.' Trans. Tairongo Amoamo, i.e. 20.00 hours (8 pm).] The next morning, Ranapia again asked Kereopa to give up Volkner, but he replied, 'Kore rawa au e whakaae. Tahea katuku e au kotahi mou' [I will never agree. However one of them will be for you.], referring to Grace. Ranapia asked when and was told tomorrow. Hakaraia and Timoti then tried to convince Ranapia to assent to Kereopa's proposal about Volkner 'Whakaaetia kia mate' [= Agree to kill.]- but Ranapia refused repeatedly to consent.¹⁰¹

Eruera said that the Taranki group itself quarrelled amongst themselves, Tiemi Whetoi saying that they had come to teach God and not the murdering of clergymen. Kereopa struck Tiemi with a taiaha, who said he would not remain and be involved. Eruera said the same, so they and some Taranaki went off to another village on the sea shore.

On the morning of 2 March, the missionaries went to Captain Levy to see if they could try to ransom themselves.

Mr Volkner spoke and said that we ought not to consider money if we could save life. The Captain declined to have anything to do with us in the matter. We went away dejected, when poor, dear Volkner said, 'We must trust in God!'¹⁰²

Grace does not explain Levy's refusal to help; there is no suggestion here that there was any obstacle to trying, such as a lack of resources. Perhaps Levy, apparently unthreatened because he was a Jew, believed that he would endanger himself by becoming more closely identified with the missionaries. In any case, this would appear to be the origin of a bitterness between Levy and Grace which would lead to abuse of the missionary and worse, and a very public quarrel over a period of years afterwards.

Levy's version was that he and Agassiz did go to Kereopa and offer 'everything in the stores, the vessel, all our cattle, as well as everything we possessed, for the lives of the two ministers'. This, he said, was accepted by Kereopa and Whakatohea at the time and his own coat, vest, watch and chain were taken as a deposit. This led to the missionaries being told they could return to Auckland and to the abandonment of a plan to shoot the missionaries. But no-one else mentioned any such deal and Agassiz specifically rejected such a story.

¹⁰¹ Jahus, Statement, 17. Eruera had heard that Whakatohea wanted to kill Volkner in payment for the arrest of Hori Tupaea, and insisted that the Taranaki warriors were upset because Volkner had earlier been a missionary amongst them. He stated, 'the whole of the Whakatohea were on Kereopa's side'.

¹⁰² Grace, *Missionary*, 137.

The tall Taranaki Maori, Wiwini, visited them again, but their conversation was not recorded. Food and some of Volkner's possessions were brought to them by Henare, a Native teacher. Levy said that Volkner's teacher and housekeeper were among the first Hauhau converts, but also heightened their treachery by saying that they had worked for him for 10-12 years - which is impossible. While they were eating, it became apparent that at least some of the Maori knew what was going to happen, saying that the promised meeting was going to take place soon.

At about 1 p.m., Heremita Kahupaea came to collect their goods, saying he would take care of them and a final prayer and reading were conducted.

At 2 p.m., the group of about 20 came, led by Heremita, conducted some ceremonies, and called to Volkner, who went with them, thinking he was going to the meeting. Grace tried to go too, but was told that his turn would come next. The door was now locked and eight armed guards posted.

Five armed guards were then posted outside Jahus's house to prevent Ranapia and him from leaving. Ranapia and Jahus then saw from the house Volkner being led away, with his hands tied and a rope around his neck, by Te Ahitapu, Te Akau and Te Mokena. Ranapia rushed out with a tomahawk to prevent this, but was caused to fall into a stream. Levy, though, stated that the block and rope were taken from the ship while Volkner was praying at the church, in which case Jahus's statement here and his later identification of Mokomoko as the rope-bearer in the procession from the house are complete fabrications.

Grace did not witness personally Volkner's execution, but he gained his understanding from 'what I heard on the spot'.¹⁰³ Volkner apparently only really became convinced of the Maori intentions when they took his coat and waistcoat at the Catholic chapel, before marching him the 200 yards to the willow tree. Grace positively named Pokeno, the son of Aporotanga, as the man who placed the rope around Volkner's neck.¹⁰⁴ Later, though, Major Stapp stated unequivocally that 'the man who actually put the rope around his neck was Kahupaea'.¹⁰⁵ Volkner knelt in prayer. When he felt fully prepared, he rose, shook hands with his captors and said, 'I am ready'. At this, according to both Grace's account and Levy's, the Maori hoisted him up, while continuing to shake hands with him, his arms not being tied - a very unusual method of hanging someone.

Stokes explains Pokeno's involvement here as a symbolic act to show that in executing Governor Grey's spy, Whakatohea were also exacting revenge on the Governor for failing to punish Te Arawa for the killing of Te Aporotanga. The

¹⁰³ Grace, *Missionary*, 140.

¹⁰⁴ Grace, *Missionary*, 141.

¹⁰⁵ Stapp to wife, 27 September 1865.

likelihood of this explanation is enhanced, she thinks, by Volkner's statement several months earlier in his 1864 annual report that Whakatohea held Grey responsible for the actions of his allies.¹⁰⁶ The settler W.W. Hooper stated that Volkner was 'murdered or strangled' by 'the Pai Marire Natives of Taranaki', which may be a blaming of the specific act upon those who had instigated it in general terms, or a specific identification which exonerates Whakatohea even further.¹⁰⁷ Another contemporary witness, a half-caste Whakatohea who had been Volkner's servant, declared it was 'Kereopa's people' who killed Volkner.¹⁰⁸

It was obviously not a skilled execution; after Volkner had been hoisted up it could have been over an hour before he was finally strangled, ceased struggling and died, and even when cut down then he may not have been completely dead. Levy said first that he was left 'to dangle for nearly an hour', but then that it was only for half an hour. While he was hanging some hauled off his boots and trousers and put them on as he was dying above them. When they took him down he was laid out in the form of a cross, 'the body being still warm, and symptoms of life being yet apparent' - although some at least of this may have been further examples of Levy's embroidering the truth for his readership. He may also have been shot while hanging. His head was then cut off, 'with a considerable portion of the bust', by Heremita, again not a professional job, performed with an old axe.¹⁰⁹ There was then some communal participation in the body's degradation. Grace reported,

They were eager to taste his blood, and many rubbed it on their faces. Some of his old friends took part in all this! From my own observance the people appeared to be half lunatic, and so worked up by their new religion as to be ready for any work of the devil.¹¹⁰

This is one of the few indications of the numbers of Whakatohea involved in this whole tragedy, although Grace uses the word 'some', suggesting that there may not have been very many who did participate. The specific act commanded by Kereopa was that 'everyone must bite Volkner's neck and one of his followers, not an Opotiki Maori, took the head round amongst all the people, having bared the neck where the head had been severed from the body, and everybody had to bite the neck at that place'. At this time

¹⁰⁶ Stokes, 'Volkner', 567. This was the opinion at the same time of Civil Commissioner Smith, who reported that Whakatohea were outraged at this breaking of Pakeha rules respecting POWs. He wrote that 'the tribe of the murdered chief have vowed to take a bloody revenge. They may if strong enough attempt an attack upon Maketu or they may try to surprise stragglers or travellers.' Quoted in Stafford, 'Tai Rawhiti', 82.

¹⁰⁷ W.W. Hooper, Statement, 30 March 1865? MS Papers 1021?]

¹⁰⁸ Karatima. 'Eye-Witness Account', 118.

¹⁰⁹ Grace, *Missionary*, 140.

¹¹⁰ Grace, *Missionary*, 141.

that church was 'overflowing' and by the end of these rituals those present were in 'a frenzy of madness'.¹¹¹

Throughout all of this, Jahus stated, the Catholic Ngati Rua were forbidden by their chief, Werapoaka, from becoming involved. He said, 'Haua e hare ki te titiro i te matenga o te Wakana. Tukua ma tona iwi, ma te mihengare e whakamate engari, kia mate, katahi ka haera koutout ki te titiro. ['Do not go to see the death of Mr Volkner. Let his own people the missionaries (i.e. the Protestants) kill him, but when he is dead then you can go and see'. Trans. Grace.] These orders were obeyed.' Jahus's version was that the Catholic Ngati Rua chief Kiki committed the decapitation (since Volkner was already dead), but that Werepoaka again would not allow Ngati Rua to participate in the tasting of Volkner's blood.

Jahus claimed to have seen the whole execution [although see below for contradictions of this claim]. In his version, after Volkner had been hoisted up for about two minutes, he was lowered, Kereopa shot him through the body, and he was run up again with a jerk. 'A great many Natives had hold of the rope, and ran the noose up into the block several times with a jerk'. The body was then taken down after about quarter of an hour.¹¹²

After the decapitation and blood drinking, Kereopa Te Rau forced out the corpse's eyes and swallowed them, describing one eye as Parliament and the other as the Queen and English law. Stokes comments on the significance of this act: 'This act of indignity to the head of an enemy conferred mana on Kereopa, and earned him the name Kaiwharu (the Eye-eater).'¹¹³

After Volkner had been killed and disposed of, the armed party returned and Grace and the sailors were marched off to Hooper's house, where they were tied up and again stripped of all their possessions, including the sheets off the sick Hooper's bed. This time, the Levys and Dr Agassiz were tied up with them. After an hour and a half a Maori came and released them and they were eventually told of Volkner's death.¹¹⁴ In Hooper's house there were Grace, four sailors, Hooper and six or eight Maori men, women and children, but Grace made no comment as to why Maori were incarcerated with them.¹¹⁵ After that, Grace alone was kept locked up while the Levys were able to roam relatively freely and claimed to have seen to the burial of Volkner's body. In fact,

¹¹¹ Karatima, 'Eye-Witness Account', 118 The head was never taken to the Roman Catholic chapel as some accounts had it.

¹¹² Jahus, Statement, 18.

¹¹³ Stokes, 'Volkner', 567.

¹¹⁴ By his own statement, this was Eruera, who objected to any Pakeha being confined, plus the faithful Tiwai, supported by other Taranaki who did not want Jews harmed. Both Eruera and Levy report an altercation with the Whakatohea guards posted by Kereopa.

¹¹⁵ Grace, *Missionary*, 139.

it had been dumped in a disused 'water closet'.¹¹⁶ Because of the looting, on the 3rd Grace offered a £500 ransom for himself.¹¹⁷

When Captain Levy found out about the ransom proposition he was enraged as he thought he would now have to pay ransoms for his sailors too. He accused Grace and Volkner of having been the cause of his having lost his ship and all his goods. In recompense he tried to bully Grace into signing an admission to this effect.¹¹⁸ Patara returned in the evening of the 4th and Grace reported several times over the next few days that they had had relatively friendly conversations and negotiations together.

Patara, Jahus said, immediately distanced himself from events, declaring, 'This is Kereopa not mine' [sic]. 'He aroha nona ki rona iwi i wharohai nei koutou i Waihi. Koia tenei whakahekenga toto ki te rua o Opotiki hei kukume i nga pakeha ki konei, hei patu i a koutou.' ['He has love to his own people who fought with you at Waihi. This shedding of blood in Opotiki will be the cause of drawing the Europeans here to kill you.' Trans. Grace.]¹¹⁹

On the morning of the 5th a trial of Volkner and Grace was held in the church, the Taranaki Maori sitting as a superior group within the communion rails with the European defendants, while some 300 Whakatohea also attended, presumably many not being able to gain admission to a building of that size.¹²⁰ Three charges were made against Volkner: 'His going to Auckland as a spy for the Government'; that 'A cross had been found in his house, and therefore he was a Romanist and deceiver'; and that he had returned to Opotiki despite having been instructed to go and not to return.¹²¹ With these charges, Grace was able to refute that concerning the cross, and with the third, that he had been warned to stay away, to show that only a few individuals had given personal warnings and that nothing had been said by the tribal group or the runanga.¹²² He seemingly said little recorded about that of spying, perhaps because he knew its truth even better than they. A Native teacher named Timothy was the chief witness to it and it seemed to be based on Karawera (Father Garavel) having warned that they

¹¹⁶ AJHR, 1865, A5, 26. That is, a dry 'long-drop' hole. The head was cleaned, dried and preserved and used in more Hauhau rituals. Eruera stated that he and Samuel Levy buried the body alone, that the Captain was not involved, and specifically that the body was never in a water-closet, but simply lay outside the Church.

¹¹⁷ AJHR, 1865, A5, 27.

¹¹⁸ AJHR, 1865, A5, 27. Levy's version was that he himself offered £1,000 ransom for Grace which was 'indignantly refused' by Kereopa, who said they would take Grace back to Taranaki as a slave. Eruera said that Grace offered £100 on his own behalf and Levy offered all his property for his own release, but that Whakatohea refused as they had already taken his goods.

¹¹⁹ Jahus, Statement.

¹²⁰ Grace, *Missionary*, 142.

¹²¹ AJHR, 1865, A5, 26.

¹²² Grace, *Missionary*, 143.

would all be mate (dead) through Volkner going back and forth to Auckland to korero with the Governor.¹²³

Captain Levy attempted to divert hostility away from himself by pleading 'I [am] your brother; I am a Jew' and agreed to move his family there and continue trading. His brother, Samuel, was to remain at Opotiki, effectively as a hostage, while the captain continued trading.¹²⁴ Later, in the same vein, Levy assured the Pai Marire adherents that otherwise meaningless chants they uttered were actually Hebrew.

Patara's charges against Grace centred around the problem of land, asserting that the religion which the missionaries had taught was all deceit, since the real religion of Europeans was not Christianity but land. Grace answered by pointing out (a) that the missionaries 'did not know' this new religion, but only the one based on the Word of God, and (b) that neither Volkner nor he had any land themselves.¹²⁵ Levy soon plotted to break the arrangement imposed at the trial and free his brother, whose life was not in danger, to which Grace objected, fearing it would jeopardise his own life. The missionary promised not to escape himself unless the brother was also free, but threatened to expose the plan if it was proceeded with, drawing from the Levys further public abuse additional to that about their financial loss and which drove Grace to consort with Maori rather than the Europeans, except for Agassiz.¹²⁶ When Grace had Volkner's remains shifted to the East end of the church and wished to read the burial service over him

he was imeidiatly Opposed by that kind Gentleman Captain morris Levy in Some words most horrible to relate Saying at the Same if you do Not go away from us and leave us alone I will knock you down with Something or Orther directly it is yourself Ought to be this way instead of mr Volkner so now I say go away and leave us to Do As we Please in the matter. So mr Grace then went away.¹²⁷

Only on the 13th was Grace finally able to read the burial service over the grave in which Volkner had eventually been interred.

On the 10th and subsequent days, several Ngatiawa brought messages that that tribe was going to set him free and Grace wrote a few lines back on scraps of a religious periodical. Levy was supposed to be able to sail away with messages, but due to Maori procrastination and contrary weather - his version - he did not manage it. This was

¹²³ AJHR, 1865, A5, 26.

¹²⁴ AJHR, 1865, A5, 27. Levy's version was that they were both to remain as 'bondsmen for Mr Grace' until the *Eclipse* had returned bearing Hori Tupaea.

¹²⁵ Grace, *Missionary*, 143-144.

¹²⁶ AJHR, 1865, A5, 28.

¹²⁷ Hooper, Statement, 30 March 1865. MS Papers 1021. Grace's version was that he was 'violently pushed away' and resorted to writing on a piece of wood asking permission of the Levys to see the body interred.

partly true in that the Maori decision was not to allow him to leave until ten days after Patara's departure and to give them time to make good the loss he had suffered in the pillaging, which they were ready to do by the 14th.¹²⁸ Both Grace and other witnesses, though, reveal that Levy apparently carried his antipathy to Grace over to reluctance to convey Patara's letter offering the exchange with Hori Tupaea, which he knew about having opened Patara's letter and had Hooper read it to him.¹²⁹ Levy had previously refused to give Grace any writing materials, so his notes to his wife had had to be scribbled in pencil on scraps of the periodical and sent by a Maori returning to Turanga. Agassiz persuaded Grace to write the document admitting responsibility, on the condition that Levy would write another undertaking to deliver Patara's letter.

Grace was relatively free to move around after the trial, even making several trips to Waioeka, where some 300 Maori were erecting a Pai Marire niu pole.

Dr Agassiz stated before Commissioner Mackay that although Levy had portrayed himself as giving up all he had in an attempt to save Volkner, in fact the Maori had seized his goods as payment for several tons of potatoes he had previously shipped for them. Agassiz also declared that 'Captain Levy did all he could against the Revd Mr Grace', by denouncing the missionary as 'a bad man' and encouraging Pokanui Te Awanui [= Te Awanui Aporotanga? = Pokeno?] to incarcerate Grace away at the inland pa - which Tiwai prevented.¹³⁰ Agassiz corroborated Hooper's statement about the dispute over Volkner's burial. Also, 'The Natives say that Captain Levy did all he could to get Mr Grace hung. From what I saw my opinion is that Captain Levy did all he could to insult and frighten Mr Grace.'¹³¹

This statement Agassiz expanded to add

From what I saw my opinion is that Captain Levy did all he could to extort money or rather certificates for money from Mr Grace....

It was a well known fact that Mr Daniel Levy [i.e. the brother, Samuel] agreed at the trial to stay and trade. He was not a Hostage for Mr Grace.

It is also untrue, as has been stated, that there were 300, or 400, armed natives at Opotiki on the morning of Mr Grace's escape.¹³²

On the 16th the warship arrived and everyone, including Tiwai and the Assessor Wiremu Kingi, went and left Grace, who now feared being carried off inland. The

¹²⁸ For example, on the 13th quantities of potatoes and corn were taken aboard and Agassiz estimated Levy's loss at only £50. Jahus had estimated the loss at £700, but said Levy was then given 40 tons of potatoes and 30 pigs by Whakatohea 'for love' as half payment. Statement, 27 June, MS Papers 1021.

¹²⁹ Hooper, Statement, 30 March 1865. MS Papers 1021.

¹³⁰ He stated that Tiwai behaved very well throughout the whole crisis and was 'the only one who did any good for us'.

¹³¹ A. Agassiz, Statement, 21 August 1865. MS Papers 1021?

¹³² A. Agassiz, Statement, 30 October 1865. MS Papers 1021. Presumably the Levys had been putting this rumour abroad to boost the heroism of their part in Grace's rescue.

Catholic chapel's bell was rung as a general alarm, but virtually all the Maori were at a meeting four miles inland with the messengers from Turanga. The Levy brothers slipped away in a canoe, which Grace thought jeopardised both himself and the remaining crew. The crew must have then got themselves off onto their boat. Grace walked around and waved to the schooner, but without result. Eventually Levy and a small party came in a boat to rescue the stores. Instructed by one of the seamen, Lewis Montague, Grace slipped unnoticed around to a point where they took him off unobserved except by an old woman.¹³³ The Turanga messengers were rescued the next morning due to the 'greatest perseverance' by Fremantle, Bishop Selwyn and Rice the interpreter.¹³⁴

To return to the trial of Volkner: the charge of Romanism seems odd. Did it reflect some ongoing tension within Whakatohea between Catholic and Anglican Maori, did it represent some complete misunderstanding of Christian symbols, or was it simply a trumped up accusation designed to increase the impression of deceit and duplicity of the man?

Lyll at p.158 states that Patara had sent a warning letter to Volkner, telling him not to return to Opotiki. Was this the case, or is it Lyall's extrapolation from Patara's charges at the trial that Volkner had been warned off? If Patara sent such a letter, did Volkner ever receive it? Even if he did, why should he have paid great heed to it when returning to his own people, as compared with threats from a stranger?

The charge of spying was the most serious and probably the real reason behind the sorry event. Volkner had clearly been in communication with Governor Grey for at least a year, reporting by letter and verbally on events in his region. Volkner knew that this would not be regarded positively by his flock, asking Grey to keep his source's identity confidential.¹³⁵ However, how did Whakatohea know at the beginning of

¹³³ AJHR, 1865, A5, 30. Montague had been on the *Eclipse* as a seaman and later made a statement after joining the 1st Waikato Militia Regiment. J. Holt to F.M.P. Brookfield, 29 January 1866. AD 6/5, 1866/909. Levy then claimed it was 'pull for our lives' and that since he (Levy) had risked so much on Grace's behalf he was congratulated by everyone.

¹³⁴ Grace, *Missionary*, 146-149. Levy's published account is concluded with two letters from Agassiz. One, dated 5 March, is an expression of gratitude for 'the generous and prudent manner in which you acted during the late proceedings at this place, and for the manner in which you saved Mr Grace's life'. The other, dated, 6 March, is a certificate that Agassiz was present when the Levys 'gave up the whole of their stock in their store and vessel to the Natives as a ransom for the lives of the Rev. Mr Volkner and Mr Grace'.

But these raise only further questions. Why would Agassiz later make such opposing statements? And why would Agassiz write on 5 March as if the proceedings and saving were over? Agassiz himself stated that the certificate was given only on the foundation of an answer given later by a Maori to a question from Levy, an answer which Agassiz later found to be false. He gave no indication of having been present himself, or part of any negotiating team, as Levy had said. Jahus, too, denied Levy had ever given up his property as a ransom for Grace. Jahus, Statement, 27 June 1865. MS Papers 1021.

¹³⁵ Volkner to Grey, 16 February 1864. Although Volkner only portrayed any negative reaction as 'interfering in his future usefulness at that place', not in terms of his being killed.

March 1865 that Volkner had been corresponding with Governor Grey? It is one thing to say that he had been and that they were right to accuse him of it; it is another to demonstrate that they knew for sure. This version states only that their accusation was based on his returning to Auckland and Garavel's warning, and reveals no knowledge of the correspondence containing other information which he had been passing back for some time. The charge may have been no more than a 'lucky' guess.

Volkner's own actions had been compounded by an Anglican-Catholic conflict. The local Catholic priest, Father Garavel, had been travelling in 1863-1864 between the Bay of Plenty and the Waikato and Volkner had accused him not only of sympathising with the 'rebels', but also of acting for them as a courier carrying letters between Opotiki and the 'rebels'. In return, Garavel had accused Volkner of being a Government spy and betraying politically his spiritual charges.¹³⁶ Governor Grey insisted that the popular Catholic priest be recalled from such a sensitive region and his superiors transferred him overseas. When Garavel disappeared from Maori view, it was widely rumoured that as a result of Volkner's actions, Garavel had been executed. Grey was told by Maori in Wanganui within three weeks of Volkner's death that 'they have punished Mr. Volkner in the same way, for causing the death of their friend'.¹³⁷

Stokes proposes a number of possible explanations for Volkner's death and his apparent willingness to risk such a fate.¹³⁸ First, he was known as being a 'pro-government' missionary. He did not remain entirely neutral, but actively did his best to maintain the loyalty of Whakatohea towards the Government. In this way he might have tainted his own reputation in Maori eyes. She comments, 'Te Whakatohea saw Volkner as one whom they had adopted into their tribe, but who had betrayed them to the Pakeha governor, and for this reason he was executed'.¹³⁹

Second, he had been naturalised as a citizen only recently. This fact may have prompted him to believe that he had to perform additional acts of loyalty to prove himself worthy as a citizen. This assertion is supported by the obituary in the *Daily Southern Cross* of 9 March, which noted that while fulfilling missionary duties, 'he was not forgetful of his duty to his adopted country, and that his sacred calling did not

¹³⁶ Interestingly, Garavel himself had been passing his own reports to Donald McLean privately, and perhaps to the Government, reporting on the development of the King Movement at least until the end of 1860 and he was in conflict with the military authorities in Taranaki in January 1861. See correspondence to McLean in MS Papers 32/286.

¹³⁷ G. Grey to Gen. Cameron, 22 March 1865. AJHR, 1865, A4, 19 (= RDB, Vol. 18, 6941).

¹³⁸ Stokes, 'Volkner', 567.

¹³⁹ Stokes, 'Volkner', 567.

exonerate him from endeavouring to subdue any feelings of potential ascendancy on the part of his hearers'.¹⁴⁰

Third, he may simply have been politically naive, to the extent that he not only felt it necessary inform the Government about events in his area and without full appreciation of the effects that would have on his standing, but also that he did not comprehend the reality of the threat that existed towards him. On his last voyage back to Opotiki, he 'frequently expressed confidence in the Opotiki Maoris' - confidence which proved ultimately to be misplaced.

Fourth, the single-minded piety upon which Fox remarked may actually have been more simple-minded. As a member of the evangelical CMS, his faith may have been such as to encourage apparent recklessness. He may really have believed that, engaged as he was upon God's work, he would be preserved through any danger, or, that if he met with that danger his own personal safety was of little consequence, so long as at the time of his death he was to be found at his post, performing his duty, doing God's work. Certainly, some of his colleagues, such as Rev. B.Y. Ashwell at Kaitotehe, had much of this attitude, though without the same tragic results.

Interestingly, Grace ended his official report of the whole affair with positive words about Whakatohea:

It is due to the natives of Opotiki to say that from the time of our being tied in Hooper's house, on the evening of the 2nd, I did not receive the smallest indignity from any of them. They were respectful, some were kind, and now and then a few were cool.

Grace's final words should perhaps have been given greater weight subsequently. This is hardly a description of the attitudes and behaviour of irredeemably anti-European and anti-missionary fanatics as they were immediately portrayed, an image which came to taint and prescribe the treatment they received at the hands of the Government and its troops thereafter.

Grace revisited Opotiki for the first time since 1865 in October 1877 to supervise the erection of a gravestone for Volkner. The missionary's account of his return to Opotiki helps us little in determining the extent of Whakatohea involvement in the 1865 killing. When Grace preached to the Maori gathered in the very church where those events had unfolded, he commented that 'Before me sat the men, who, with two or three exceptions, consented to, and took part in, his murder!... Justice has overtaken the most guilty of those who then filled the Church, and they are no more.'¹⁴¹ What he does not say, though, is exactly who those he believed 'most guilty' were - did it, for example, include Mokomoko, or was it limited to Kereopa and those who clearly

¹⁴⁰

MS GRA.

¹⁴¹

Grace, *Missionary*, 280.

actually hung Volkner? Of what nature was the 'justice'? That of the courts, or of the battlefield, or of the confiscation? His description of the congregation as 'the men...' must be a case of emotional licence based on their being Whakatohea from around Opotiki. On the strength of his few days in Opotiki and in such circumstances he could not possibly have identified all participants in the events of 1865, nor this 'town-ful' present twelve years later. Who were the exceptions and were they exceptions simply because he knew they had not been present in Opotiki in 1865? The most that can be said is that Grace clearly believed that a large number of Whakatohea were present in 1865 and that by their 'mad, wild' behaviour then they were en bloc willing accessories to the killing. Therefore, they could justifiably be called murderers also.

The actions of Kereopa Te Rau, a member of Ngati Rangiwehi of Te Arawa, are to be separated from those of Whakatohea. He has had a number of motives ascribed to him. These include a hatred for both Pakeha missionaries and for the Governor and his laws. He may also have been seeking revenge in some measure for the killing by British soldiers of many women and children at Rangiaowhia in February 1864, probably including his own wife, daughters and sister.¹⁴² Third, Stokes suggests that he may have been playing on the traditional enmity between Te Arawa and Whakatohea. She does not say how he would have been doing this, whether by trying to get Whakatohea into trouble with the Government, or by harming Whakatohea by killing their missionary, or by some other means. This does not explain why they apparently went along with him, or even allowed him there.

Pai Marire itself was unfortunate to be involved in such a sorry event. Pai Marire as such, as its very name meant, was intended to be good and peaceful, a pacifist and millennial movement, rather than a generator of bloodthirsty fanaticism. Kereopa and his party did not act under instructions from their leader, Te Ua Haumene, when they committed the killing, and, indeed, the second Pai Marire emissary with the party, Patara, was neither present at Volkner's death nor defended it at the subsequent trial. This suggests that it was of Kereopa's doing, not the result of any 'official' Pai Marire policy or attitude.¹⁴³

¹⁴² But see the denial of this in Clark, *Hauhau*, 35.

¹⁴³ Kereopa was hunted, along with Te Kooti with whom he later became allied, for the next six years. He was finally captured in November 1871 by some of Ropata's Ngati Porou, taken to Napier, tried by the Resident Magistrate, a grand jury, then the Supreme Court. He was executed at Napier on 5 January 1872, altogether a process which was widely regarded as making a salutary impression upon Maoridom of the calmness, deliberation and unforgetfulness of the British justice system. Governor Bowen to Earl of Kimberley, 11 January 1872. AJHR, 1872, A1, 48-51 (= RDB, 9933-9936). Some Whakatohea testified against him at his trial. H.T. Clarke to Under Secretary, Native Department, 14 February 1872. AJHR, 1872, F3a, 6 (= RDB, 10073).

This is confirmed by a clear statement of Patara's, written in May 1865 to the Ngaiterangi chiefs, which also indicates how much of a 'loose cannon' Kereopa was within the Pai Marire ranks.

.... I have no concerns (do not intend to interfere) with the ships of the Europeans going quietly to their own places.

Friend, my thoughts are clear about the vessels. I made an example of releasing ships at Opotiki by the vessel of the Revs Messrs Grace and Volkner. My idea is still the same. If I had seen Mr Volkner he would not have been killed. Do you hearken! If the steamers keep following my boat, I will commence fighting with the Europeans. Friend, Mr Volkner was not killed by me, but by Kereopa. When he was killed I was vexed with Kereopa, and I sent Kereopa away on the 4th May, 1865. He has gone to Taranaki. This word turns....¹⁴⁴

The first reports of the killing of Volkner reached one of the nearest European authorities, Commissioner Clarke at Maketu, late on 6 March. These early reports from non-participants are alarmist and lacking in great accuracy or detail, nevertheless they were significant in determining the public and official response to the killing. Ngatiawa immediately distanced themselves from the event and placed the blame firmly on Whakatohea.

Mr Volkner has been killed by the Wakatohea [sic], his head has been cut off for a God for themselves, his brains have been eaten by the Wakatohea, by the men, women and children.... Awa is pained on account of this murder. But do not be dark on account of our going to Maketu (i.e. their former fighting with Te Arawa) that was done in broad daylight. But the fault (or crime) of the Opotiki natives is murder.¹⁴⁵

The first report from a European came at the same time, from the master of the cutter *Kate* coming from Whakatane. He reported that Te Hura of Te Awa o Te Atua had arrived with the news in Whakatane in the morning of 5 March: 'He stated that as soon as Mr Volkner landed he was tied to a willow tree, and his head was then cut off with an axe. His body was thrown down for the dogs to eat, his head was "paki pakid" and his brains were given to the women and children.'¹⁴⁶ The Hauhaus intended to keep Grace as a slave.

¹⁴⁴ Patara Rauhatawa to Hamiora Tu, [May 1865]. AJHR, 1867, A20, 10 (= RDB, 7790). This also reveals that the authorities knew as early as the beginning of June that the ringleader of Volkner's killers, Kereopa, was no longer in the Opotiki region, although he did return by September 1865 and later hid in the Ureweras with Te Kooti.

¹⁴⁵ Tamarangi Toihau and others to Governor, 5 March 1865. AJHR, 1865, E5, 5 (= RDB, 7210).
¹⁴⁶ William J. Young, Statement, 6 March 1865. AJHR, 1865, E5, 6 (= RDB, 7211).

The next report, from another coastal trader's master, was more detailed. The Hauhaus had been accompanied from Whakatane by Wepiha Te Poono and Apanui.¹⁴⁷ Since Volkner's boat had not arrived, Patara went with one group off to Tarapahore. When the boat did arrive, Kereopa's men went aboard and tied up everyone, then dragged the boat aground. After a runanga, the Hauhaus hung Volkner, where his body remained for two hours. 'He was then let down, and his head was cut off. His blood was drunk by all the Whakatoheas, the head was preserved. Mr Volkner's coat, vest, and watch have been taken by Kereopa and party. Mr Grace's life is preserved; but I heard that he would be taken on to Turanga, and from thence to Taranaki, where he would be killed.' Wepiha had taken steps to cover his back, having now turned informant. The master stated, 'This report was given me by Wepiha Poono, who was an eye witness to Mr Volkner's death. He ran away and arrived at Whakatane on Sunday last, March 5th.'¹⁴⁸

Ngatiawa took further immediate steps to protect themselves from any possible consequences, especially from standing in the route of reprisals, which might well have inter-tribal overtones. The Assessor at Whakatane wrote,

He [Volkner] was murdered by the Whakatohea and the Hauhaus of Taranaki.... After he was dead he was cooked in the oven.... This it [sic] the word of Ngatiawa. They turn away from this crime of murder committed by the Whakatohea and Taranaki. Though soldiers should go to Opotiki, or to Ohiwa, yet will they not implicate themselves in this crime of murder. But let there be only one road - that by the sea. Let not the Arawa come overland. This thought is from the whole of Ngatiawa.¹⁴⁹

Civil Commissioner Smith was obviously influenced by the fear that Whakatohea had been aroused. He advised,

I regard the present state of affairs as critical. The Whakatohea (the Opotiki natives) will now probably feel that they are committed to a final

¹⁴⁷ This raises an interesting point: the Ngatiawa letter of 5 March was co-signed by Apanui and Wepiha Te Mautaranui. Were these the same men, and if so, what does their overly lurid account, blaming Whakatohea entirely, say about their motives, and those of Ngatiawa generally, for doing so?

¹⁴⁸ Natana, Statement, 7 March 1865. AJHR, 1865, E5, 6 (= RDB, 7211).

¹⁴⁹ Mohara Te Horia and Hori Tunui to T.H. Smith, 6 March 1865. AJHR, 1865, E5, 7. A second, very similar letter was sent simultaneously to Te Arawa, but Arawa rejected it since Ngatiawa had not expelled Kereopa's party with the head and prisoner nor dissented from his plan to kill non-combatants, and instead declared that unless Ngatiawa themselves captured and handed over Kereopa they would not be spared. For the Maketu Arawa, Wiremu Maihi Te Rangikaheke wrote to the rest of the tribe advocated aligning with Colonel Greer to punish Ngatiawa as well. Some at Rotorua agreed with this plan. However, Arama Karaka, while agreeing that 'Whakatohea are foolish and their words are foolish' and that 'Ngatiawa are wrong', advocating waiting for the Governor's decision before taking any action. Other letters of similar tenor were sent out repeatedly by Ngatiawa over the next weeks. AJHR, 1865, E5, 11-16 (= RDB, 7212, 7216-7221).

struggle, and if they can succeed in raising the tribes beyond them, may take the initiative against the Arawa.¹⁵⁰

He recommended more arms be supplied to Arawa.

Reports of the killing of Volkner and the capture of Grace reached Governor Grey at Wanganui from the naval commander, Commodore Sir W. Wiseman, as early as 14 March. Grey characterised it as a 'barbarous murder' and Volkner as 'as good, simple and upright a man as I have ever known'. He immediately concluded that the killing was a political one, perpetrated not against Volkner so much as for greater strategic reasons, to assist the hard pressed Maori of the West Coast.

It was an old native custom whenever they wished to draw you off from a war you were engaged in, and to involve you with a new enemy, to go into his country and commit some most horrible murder, so as, if possible, to excite your passions and induce you to abandon every other object in the hope of obtaining immediate revenge. The murder of poor Mr. Volkner is marked with all the characteristics of a murder of this kind, and I have no doubt it was committed with a view of inducing us to engage in immediate war with the East Coast natives, and to withdraw us from this place.... It is quite impossible to say what steps I may think it necessary to take in consequence of Mr. Volkner's murder, until I receive further information as to the number of natives who were engaged in it, but I will keep you fully informed upon the subject.¹⁵¹

Once the news of Volkner's death and Grace's capture reached Auckland, the naval commander, Commodore Sir W. Wiseman, sent a steamer, also named the *Eclipse*, on a rescue mission. The captain was Commander C.R. Fremantle, and he carried Bishop Selwyn as an expert on dealing with Maori and Henry E. Rice as an interpreter. Fremantle's and Rice's reports provide us with an account of the conclusion of the Volkner tragedy.¹⁵² *HMS Eclipse* left Auckland on Friday 10 March, arriving at Tauranga on 11 March.¹⁵³ Hearing that the Pai Marire party had left Opotiki and

¹⁵⁰ Thomas H. Smith to Native Minister, 9 March 1865. AJHR, 1865, E5, 7. Smith had not reported the killing on 7 March, discounting it as merely a rumour, since he understood Volkner was still in Auckland.

¹⁵¹ G. Grey to Gen. D.A. Cameron, 14 March 1865. AJHR, 1865, A4, 16. Grey used this line of thought to browbeat Tori Turoa, a Hau Hau chief from Pipiriki in the Upper Wanganui, so that he admitted implication in Volkner's death since he advocated Pai Marire. James Fulloon, Notes, 15 March 1865. AJHR, 1865, A5, 17-18 (= RDB, Vol. 18, 6938, 7014-15).

¹⁵² Fremantle's Report to Wiseman, 18 March 1865. NZ Gazette, 25 April 1865, 120-121; Henry E. Rice to Native Minister, 29 March 1865. AJHR, 1865, E5, 8 (= RDB, 4010-4011, 7213).

¹⁵³ A description of the *Eclipse* was later given in a Scots newspaper by Fremantle. It was 'a small 700 ton steamer, barque rigged, 200 feet in length, and drawing only 12 ft of water. She carried four guns, and was one of a class then called despatch boats.' Quoted in J.C. Andersen and G.C. Petersen, *The Mair Family* (Wellington: A.H. & A.W. Reed, 1956), 143. So it was not an especially powerful gunboat, nor did

headed for Poverty Bay, they sailed straight on there, arriving on the 13th. At Turanga, they found 300-400 local friendly Maori prepared for battle against the Pai Marire (less than a couple of miles distant), ready to protect 'their Pakehas', especially Bishop Williams.¹⁵⁴ Rice tried to convince them to arrest the Pai Marire, but they refused out of fear for Grace's safety. Having found that Grace had not been abducted by the Pai Marire (but that there was a deserter or prisoner from the 57th Regiment with them named Brown), Fremantle returned to Opotiki with two Turanga Maori who offered to act as intermediaries.¹⁵⁵ As Fremantle reports it, the chief sticking point of the negotiations to date was a demand that Grace be exchanged for Hori Tupaea, then imprisoned at Tauranga. However, Rice included a translation of the letter which was taken from the Turanga runanga to Tauranga, which asked Hori Tupaea to go to Opotiki and fetch Grace away to Auckland.¹⁵⁶ Rice proposed that they put the two Turanga Maori ashore at Opotiki to negotiate his release, but this idea was opposed by 'the Messrs Williams', who thought Grace 'would be subject to fresh indignities' as soon as the man-of-war was sighted. On the night of the 15th they anchored off Tunapahore, seven miles from Opotiki, hoping unsuccessfully to gain information from Tataua and Wiremu Kingi.

Early on the morning of the 16th, they went to Opotiki and anchored a mile off shore, to find the schooner *Eclipse* still anchored there. The Turanga negotiators were landed. Then Captain Levy of the schooner, together with his brother and three others, came across with the information that few Maori were still in town as they had nearly all gone inland to celebrate some Pai Marire rites. Bishop Selwyn dissuaded the sailors from making an immediate assault for fear that Grace would be killed. They decided instead to try, through Levy, to have a friendly Maori who had met those from Turanga, to help release Grace. Fremantle's version is that Grace then made his way down to the beach and came out in his own boat, having only an old woman to prevent his escape. Grace and Rice's version is that Levy again went ashore in his boat and after an hour returned with Grace, rather than William King, whom he had been seeking. Cutters were then sent to tow the schooner to safety near the steamer.

it come with a large crew and military force. W.G. Mair later described Fremantle as 'a fussy excitable man', who 'used to worry Grey no end', 'was always regarded as being eccentric, and nearly lost his ship more than once'. Quoted in Andersen and Petersen, *Mair Family*, 146.

¹⁵⁴ The story of events when the Hauhau party reached Waeranga-a-hika is summarised in Porter, *Turanga Journals*, 594-598.

¹⁵⁵ Rice states that Grace had been left 'in the supposed safe keeping of the Whakatohea', a phrase which may be taken two ways. He could have been being kept safe by Whakatohea, or he could have been left there because Kereopa thought he would be held securely. Whakatohea's position depends on who is defining 'safe'. John Brown was a prisoner taken 18 months earlier in Taranaki and, with Louis Baker who was sent with another Hauhau party had been stripped to a blanket and was being used throughout their travels as an object of derision and to excite converts. He had tried unsuccessfully to escape at Wanganui.

¹⁵⁶ The Runanga to Hori Tupaea, 13 March 1865. AJHR, 1865, E5, 9 (= RDB, 7214).

Rice reported,

It appears that on our landing the two Natives, the resident people went inland two miles to a Runanga. Our Natives and William King accompanied them, and, as usual, every one cleared out of Opotiki Village to hear the news, leaving Mr Grace his own keeper. Mr Levy found him alone, and after securing some of his own property, took him into the boat and brought him off.

However, it would appear that the boat taken back by Levy had not returned for Grace or Wiremu Kingi at all. Levy, continually vindictive, really went to retrieve a pannikin of silver which had been left behind.¹⁵⁷

Tiwai, though in fear of his life when Grace's escape was discovered, then volunteered to return to make sure of the escape of the Turanga negotiators, now detained because of Grace's escape. They did not come down to the beach during the night but on the morning of the 17th a large Pai Marire party did. A negotiating group were sent in under flag of truce. Tiwai was soon released and swam out, but it took until nearly noon (8 am according to Rice) before the Turanga Maori were also released. Rice reported that the 'very large number' of Maori on the beach 'carried on their antics round their Pai Marire flag', planted between two boat ensigns, that they all seemed to be armed, 'and in the conversation I had with them - at about twenty yards distance - assumed a very dictatorial tone'.

Fremantle's account, the first from the scene and obviously produced from talking to Levy and Grace firsthand, also commented on Volkner's death. Unfortunately, his Victorian modesty prevented him from providing us with much more than an expression of outrage.

The details respecting Mr Volkner's murder, as reported, are substantially true, and too horrible to mention. The Maoris seem to have been in a state of frenzy, and his body was treated with the most repulsive indignity.¹⁵⁸

Fremantle, observing from offshore, determined that the Pai Marires seemed very devout, but that their actions and incantations were intended to draw the ship aground. Kereopa, gone to Turanga by this time, had said that he had the power to make this happen. Fremantle's account may also give some clue as to why Kereopa apparently wielded such influence.

There are curious accounts of his performances: an Englishman, who was at Opotiki, said that he had seen several Maoris fall down in a swoon when he raised his arm. No doubt he has some knowledge of Electro-

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B.Y. Ashwell, Statement, 2 April 1867. MS Papers 1021.

¹⁵⁸

Fremantle's Report, 18 March 1865, 121 (= RDB, 4011).

Biology, and the Natives are firmly convinced that he is endowed with super-natural powers.¹⁵⁹

If he was indeed regarded as wielding such powers (whatever Electro-Biology is!), then it is quite conceivable that at least some of those who acquiesced in Kereopa's activities did so from fear of the supernatural, quite apart from any political or other motivations.

The schooner *Eclipse* had been preparing to leave Opotiki anyway when the naval ship arrived, bearing a letter to the Government setting out the terms for Grace's release. This letter was from 'The Committee of Ngatiawa, Whakatohea, Urewera, Taranaki' which may imply the collusion of Whakatohea with the Hauhau, or given the fact that the Ngatiawa and Urewera contribution to the party was so small the title may have just been an overstated attempt at self-aggrandisement by the group controlling the Hauhau party. The letter stated that Volkner had been executed ('crucified') 'according to the laws of the New Canaan', and that Grace was being held on the principle following the laws of England that 'the guilty man be imprisoned'.

The justification given for thus attacking two missionaries was apparently religious, but also political:

Friends, do not you say, 'What is the origin of that sin?' This alone was the origin - the deception practised upon our Island by the Church. That Church said that they were sent hither by God; but now we are aware that they were sent hither by the knowing society of the Church of England. In the second place, the sin of the Governor at Rangiriri - his cruelty - the women are dead. Thirdly, Rangiohia [sic], the women were shot - that is a sacred law of the Governor's.¹⁶⁰

Indignation was then expressed at the laws made by the 'suppressing committee of England' and the demands made on Maori to give up their weapons. It went on to demand that Hori Tupaea and his companions be released in exchange for Grace. The latter part of the letter, about killing and crucifying Pakehas and releasing Grace, is written in the first-person singular. Perhaps this was a composition of Kereopa's to which the plural was intended to lend the weight of widespread support.

Ten days after Fremantle's return with Grace, Governor Grey issued a proclamation which expressed the outrage widely felt at the Hauhau killing of Volkner and, earlier, of Captain Lloyd. So moved was he (by either the event or the tide of public emotion), that he felt it necessary to make a public declaration of his determination to extirpate every manifestation of the movement. He first related the

¹⁵⁹ Fremantle's Report, 18 March 1865, 121 (= RDB, 4011).

¹⁶⁰ The Committee of Ngatiawa etc to Governor, 6 March 1865. AJHR, 1865, E5, 9-10 (= RDB, 7214-7215).

types of heinous crimes committed by the fanatical followers of this religion, then continued,

Now therefore, I, Sir George Grey, the aforesaid Governor, do hereby proclaim and notify that I will in behalf of Her Majesty, resist and suppress, by the force of arms if necessary, and by every other means in my power, fanatical doctrines, rites and practices of the aforesaid character; and I will cause to be punished all persons, whenever they may be apprehended, who may be convicted of instigating, or participating in, such atrocities and crimes; and, in Her Majesty's name, I call on all well-disposed persons, whether Native or European, to aid and assist me herein to the best of their ability.¹⁶¹

This declaration reveals the climate in which official moves were planned and carried out in mid-1865 to both catch Volkner's killers, and to punish everyone involved. Any association with Pai Marire had now clearly become an offence likely to be dealt with with the utmost severity.

The Government also had reacted with shock and abhorrence. On 6 April, before Fremantle's expedition set out, the Premier Frederick Weld, issued a memorandum anticipating the punishment of Volkner's killers. The ministers

recommend that measures be adopted to inflict punishment upon those concerned in the murder of the Rev. C. Volkner a crime which not only calls for signal retribution on account of the unparalleled atrocity of the attendant circumstances, but which was committed with cool and premeditated deliberation in a peaceful district.¹⁶²

It is interesting how much information Weld had already acquired concerning the killing and reaction to it a bare month after the event. He noted that the chief offenders had come from the West Coast and advocated exemplary action being taken there against Warea and Wereroa. Also, he had received reports from Hawke's Bay, from Government Agent Donald McLean and 'influential Native Chiefs' expressing 'the feeling of disgust and horror excited by the barbarous murder'.

Weld noted with approval the mission by Wi Tako and Matene Te Whiwhi to bring about the apprehension of the killers, but the Government did not anticipate any such speedy result since the killers had fled via Tauranga back towards the West Coast. A planned military expedition from the East Coast was postponed. They therefore proposed to offer rewards and 'other necessary expenses', while warning Maori of the consequences of harbouring or assisting the fugitives.

¹⁶¹ NZ Gazette, 29 April 1865, 129 (= RDB, Vol. 11, 4014).

¹⁶² F.A. Weld, Memorandum, 6 April 1865. AJHR, 1865, A1, 12 (= RDB, Vol. 18, 6905). N.B. the recognition of the 'peaceful district'.

He concluded by expressing determination to pursue the matter to its necessary conclusion:

It is feared that for a time it will prove impossible to bring the murderers of Mr. Volkner to justice, but it will be the duty of Government unswervingly to pursue that end; the return of these men to their own country has already been rendered difficult, and it is confidently hoped that by steady and persistent efforts their capture may be ultimately effected.¹⁶³

It is apparent from this memorandum that already it was known to the Government that the killing of Volkner was instigated by people from outside Whakatohea, and that those ringleaders had long since left the Opotiki area on their way back to the West Coast, where capture efforts were to be concentrated. In that the Government vowed to bring about just retribution, the threat was framed solely in terms of dealing with the individuals immediately responsible. There was no thought apparent here of wreaking vengeance upon an entire iwi.

(H) THE TRIAL OF VOLKNER'S KILLERS¹⁶⁴

Since it links closely with the accounts of Volkner's death just covered, we now jump to the trial of those charged with his murder. After surrendering or being captured in late 1865, they were initially tried by a court martial comprised of (not very senior) officers of the East Coast Expeditionary Force.

The idea of holding a court martial for Volkner's killers was not a new one. After the fighting around Tauranga in late 1864 and early 1865, the Arawa took some 'rebels' prisoner. Hori Tupaea was held on parole, some were transported to Wellington. The Ministry wanted them tried by court martial, 'on a charge of endeavouring to incite Her Majesty's subjects to join the present rebellion'.¹⁶⁵ Governor Grey also, on the advice of ministers, wanted them tried by court martial, but General Cameron asked under what authority this could be done. He believed that under the warrants he held, he could

¹⁶³ Weld, Memorandum, 13 (= RDB, 6906).

¹⁶⁴ *R v Mokomoko and Others*, Minutes of Proceedings and Trial to Judgement of Death. AG 66/789 in J22/3b. The following numbers in square brackets thus [] are page numbers in these minutes. This file also contains the minutes of evidence in the Part Trial of the case on the preceding day, 27 March. One of the jury had run away overnight, so a new jury had to be empanelled and the case begun *de novo*. The page numbers in {} refer to the testimony given in that preceding day's hearing. Understandably, much of the testimony was the effectively the same, but some was given or recorded in greater detail and other details were omitted or what was said was at variance with the main trial's. However, what was said in the first part trial did not affect the main trial's outcome.

¹⁶⁵ F.A. Weld, Memorandum, 1 March 1865. AJHR, 1865, A1, 12; G. Grey to Secretary of State for Colonies, 10 March 1865. AJHR, 1865, A5, 8 (= RDB, Vol. 18, 6905, 7006).